

# NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

## Minutes of Meeting

October 8, 2004

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### Attendance:

#### **Robert Clegg, Chairman, Department of Safety**

Jerry Tepe, Board of Architects, licensed architect

James Petersen, PE, Board of Engineers, licensed mechanical engineer

George Maihos, NH Electricians Board, licenses master electrician

Thomas S Lambert, Chief, NH Association of Fire Chiefs, Municipal Fire

Rick Swain, NH Plumbing & Mechanical Contractors Assoc., mechanical contractor, business

Mark Weissflog, NH Electrical Contractors Business Asso., licensed master electrician

Michael Santa, CBO, Governor's Commission on Disability, Architectural barrier/free design

Joel Fisher, Board of Engineers, licensed structural engineer

Wes Golomb, Public Utilities Commission, State energy conservation code office

Tyler Carlisle, Board of Engineers, licensed electrical engineer

### Excused:

Med Kopczynski, NH Municipal Association,

Kenneth Andrews, NH Building Officials Association, municipal building official

### Absent:

John Tuttle, NH Home Builders Association, Architectural designer – residential

Bruce Phillips, NH Association of Fire Chiefs, municipal volunteer fire chief

Tedd Evans, Board for licensing and regulation of plumbers, licensed master plumber

Fred Baybutt, Associated General Contractors, building contractor – non-residential buildings

### Guests:

Marta Modigliani, Attorney, Department of Safety, Office of the Commissioner

Chris Williams, Manchester Chamber of Commerce

William Degnan, State Fire Marshal

### **GENERAL MEETING:**

#### Adoption of meeting minutes for August 13, 2004:

Rick Swain made the **Motion** to accept the minutes as submitted. Mark Weissflog **Seconded** the motion.

There being no additions, deletions, corrections, vote was taken and was unanimous. Minutes declared adopted by the Chair.

#### Adoption of meeting minutes for September 10, 2004:

Tyler Carlisle made the **Motion** to approve the minutes as submitted. Wes Golomb **Seconded** the motion.

There being no additions, deletions, corrections, vote was taken and was unanimous. Minutes declared adopted by the Chair.

### **NEW BUSINESS:**

#### Establish format for adherence on Code amendments:

Jerry Tepe told the Board that the Board needs to establish some sort of standard way that we put the Code Amendments both into the Rules and onto the website. In some cases we use strikeout and underline, and in some cases just put in new text, and some we have done other things. Trying to establish a standard way to make it 'use friendly' to those that read the Rules or use the website to determine what the amendments are. Jerry Tepe will work with Marta on it, and will report back to the Board.

Chapter Bcr 300 Updates and Changed to State Building Code Manuals Rules:

Marta Modigliani addressed the Board. All the updates have been made. There was a question in regards to the website. Jerry Tepe volunteered to work with Marta and Margaret McQueeney to come up with method on how we post everything and work out how things get posted on the site. The formatting issue – to make them look consistent – see previous item.

Possible adoption of International Existing Building Code:

Jerry Tepe stated that this is tied into item 9 and will defer to then. Chairman Clegg will defer.

Web-Site update:

Margaret McQueeney could not make this Board meeting, She will come to a later meeting.

Letter from NH Electrician's Board 10/5/04:

George Maihos introduced his Senior Inspector, Mark Dolbert, from the Electrician's Licensing Board to help address this item. For the Rules process, the Electrician's Board is changing so that it complies with the statute, rather than going in and having 2 processes. The Electrician's Board is seeking the approval of this Board, so there is no delay, and people out in the field will know. Mike Santa asked if the Electrician's Boards Rules need to be changed, do other Boards i.e. the Plumbers Board also need to be looked at to make changes? Mark Dolbert spoke and said that this was the easiest way to do their changes, and they still have to go through the JLCAR process for Rules. The Chairman suggested they he might want to get in touch with Mike O'Neil from the House, if the Electrician's Board is making reference in the new Rules. Mark will check with Mike O'Neil. Chairman Clegg also stated that if the Electrician's Board wants the 05, the Electrician's Board need to ask the Body to hear it, and a Public Hearing will have to be held. Jerry Tepe said it will make it easier in the future for any future appeals. Jerry asked if the books (2005 Code) would be available prior to holding a Public Hearing on the adoption. The 2005 Code will be referenced for continuing education – because its a requirement for licensing. They will have to go to Rules to make that change anyway. George Maihos stated that next week, Tuesday, will be the final meeting they are having on a Hearing Board; Chairman Clegg will attend. Mike Santa said that it is important to have a sense of the change between one edition and another edition of the Code. To blindly adopt a Code goes against his grain. Mark Weissflog asked what the time frame is on doing this. JLCAR does not adopt the Codes, the Building Code Review Board does.

Tyler Carlisle made the **Motion** that we accept and approve the proposal of the Electrician's Board. Mark Weissflog **Seconded** the motion. There being no further discussion, the Chair asked for a vote. Vote was taken and declared **Unanimous** by the Chair.

Chairman Clegg did ask George Maihos to let him know when he goes to JLCAR – to let him know, because he will send a letter from the Board showing that we approve. Just so they will not hold it up. Marta will draft a letter for the Chairman to send in to JLCAR. The Electrician's Board will have to come in, and ask for a Hearing to address the 2005 Code. George Maihos made a **Motion** to have a Public Hearing for November's meeting, to talk about the 2005 Code, to make a proposed change to the Building Code Rules by adopting the 2005 NEC. Tyler Carlisle **Seconded** the motion. Vote was taken. Vote was **unanimous** and so declared by the Chair.

Marta will prepare the necessary notices for a Public Hearing. Wes Golomb asked for a 1 page comparison as Mike Santa suggested earlier – comparing the changes – from what is to what will be. George Maihos will get these together and will email it to everyone before the next meeting, a highlight of the substance of the changes.

**OLD BUSINESS:**

Update on Smart Codes Presentation – Chris Williams, City of Manchester:

Chris Williams gave a brief synopsis of what the Manchester Chamber of Commerce is doing. It is taking the lead on the initiative to get the State of NH to adopt the International existing Building Codes, and last month they had a very successful round table meeting. About 90% of the people attending felt very positive about the discussion at the meeting. On behalf of the Chamber, Mr. Williams requested that this Board consider putting together a working committee to look at this issue in much more detail and determine what the best approach would be from there. Chairman Clegg said there are a couple of problems with it, for one it is a

fairly new Code to most of us. Mr. Williams will check about the cost for copies of the Code books, and will get back in touch with the Chair on the cost, if any, for them, where there 17 members on the Board, each should have one.

Chairman Clegg asked who would be interested in setting up a subcommittee to look at these issues. Mike Santa will be Chair of the subcommittee, Chief Lambert, Rick Swain, James Petersen and Jerry Tepe. Mike will send out notice of meetings. Jerry said that one important thing the subcommittee will have to do is to interface it with the State Fire Code, because since the Legislation says that the Fire Code takes precedence, unless this is interfaced with that, a lot of what the Code book will enable you to do will run contrary to what the Fire Code may say in given instances under the Life Safety Code.

Wes Golomb asked if there was any group or body of interest who may oppose this? Chris Williams said he has not run across any group who is directly opposed to anything. Chairman Clegg pointed out that there is at least one group out there who are trying to do away with any kind of Codes, its the same group that has taken the State to Court if you do not allow the inspectors to come in, the appraisers. Chris also reiterated the importance of what Jerry had said – to interface it with the State Fire Codes. Chairman Clegg extended a special invitation to Fire Marshal Degnan to attend any and/or all of these meetings.

Letter to the Board from Katrina Browne and Robert Browne 8/26/04:

Marta drafted a response to them from the Board and passed out copies for the Board members to review. It was an excellent and informative letter explaining these are not issues the Board can address. Chairman Clegg will sign it and it will be sent out.

Letter to Board from NH Electrician's Board 8/10/04:

This item was covered under New Business in the Letter from the NH Electrician's Board.

**OTHER BUSINESS:**

Mike Santa will check with his group to see what the cost would be for books for Board Members. Chief Lambert asked if this Board was charged with the review of NFPA 5000 when it was published. He was not sure if this was ever done. The Chief will see if he can get enough copies of book for Board members.

**ADJOURNMENT:**

Chairman Clegg accepted a **Motion** to adjourn. Motion was duly **Seconded**. Vote was unanimous.